

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARY STEPHEN KAPLAN

Defendant.

S5-4:06CR337 CEJ

DECLARATION OF PUBLICATION

Under 21 U.S.C. § 853(n)(1), and the Attorney General's authority to determine the manner of publication of an Order of Forfeiture in a criminal case, notice of the forfeiture was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on August 18, 2009 and ending on September 16, 2009. (See, Attachment 1.)

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 20, 2009 at St. Louis, MO.


Janet Gurn

Paralegal Specialist

Attachment 1

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI, EASTERN DIVISION
COURT CASE NUMBER: S5-4:06CR337 CEJ; NOTICE OF FORFEITURE

Notice is hereby given that on August 14, 2009, in the case of U.S. v. Gary Stephen Kaplan, Court Case Number S5-4:06CR337 CEJ, the United States District Court for the Eastern District of Missouri entered an Order condemning and forfeiting the following property to the United States of America:

Approximately \$43,650,000.00 in U.S. Currency presently held by the United States District Court, Eastern District of Missouri, in Bank of America account number XXXXX5233 which was transferred on or about July 31, 2009, from Leecroft Investments Group's Swiss bank account at Banque Privee Edmond de Rothschild S.A., Account number XXXXX0347 (09-IRS-000847).

The United States hereby gives notice of its intent to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person, other than the defendant(s) in this case, claiming interest in the forfeited property must file a Petition within 60 days of the first date of publication (August 18, 2009) of this Notice on this official government internet web site, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(1). The petition must be filed with the Clerk of the Court, 111 South 10th St., Suite 3.300, St. Louis, MO 63102, and a copy served upon Assistant United States Attorney Charles S. Birmingham, Thomas F. Eagleton Courthouse, 111 South Tenth Street, 20th Floor, St. Louis, MO 63102. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

Following the Court's disposition of all petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such petitions, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.

Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between August 18, 2009 and September 16, 2009. Below is a summary report that identifies the uptime for each day within the 30-day period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. GARY STEPHEN KAPLAN

Court Case No: S5-4:06CR337 CEJ
For Asset ID(s): See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	08/18/2009	23.5	Verified
2	08/19/2009	23.6	Verified
3	08/20/2009	23.6	Verified
4	08/21/2009	23.5	Verified
5	08/22/2009	23.5	Verified
6	08/23/2009	23.6	Verified
7	08/24/2009	23.5	Verified
8	08/25/2009	23.6	Verified
9	08/26/2009	23.5	Verified
10	08/27/2009	23.5	Verified
11	08/28/2009	23.5	Verified
12	08/29/2009	22.4	Verified
13	08/30/2009	23.5	Verified
14	08/31/2009	23.5	Verified
15	09/01/2009	23.5	Verified
16	09/02/2009	23.5	Verified
17	09/03/2009	23.5	Verified
18	09/04/2009	23.5	Verified
19	09/05/2009	23.1	Verified
20	09/06/2009	23.5	Verified
21	09/07/2009	23.5	Verified
22	09/08/2009	23.4	Verified
23	09/09/2009	23.5	Verified
24	09/10/2009	23.5	Verified
25	09/11/2009	23.5	Verified
26	09/12/2009	21.3	Verified
27	09/13/2009	21.3	Verified
28	09/14/2009	22.4	Verified
29	09/15/2009	22.5	Verified
30	09/16/2009	23.5	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.